

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

HONG M. NGUYEN,)	
)	
Plaintiff,)	Civil Action No. 18-156
)	Chief Magistrate Judge Maureen P. Kelly
v.)	
)	
HOLDING ACQUISITION CO. LP <i>doing</i>)	ECF No. 41
<i>business as</i> RIVER CASINO,)	
)	
Defendant.)	

ORDER

Presently before the Court is a motion filed by Plaintiff Hong M. Nguyen (“Plaintiff”), proceeding *pro se*, in which he seeks the return of the \$400.00 filing fee he paid in this case. ECF No. 41. This case was closed on August 21, 2018, upon the entry of judgment in favor of Defendant following the grant of a Motion to Dismiss filed by Defendant. ECF Nos. 36-37. In the instant motion, Plaintiff seeks the return of the filing fee because both this case and another case he filed in 2014, Nguyen v. River Casino, Civ. A. No. 14-683, were “denied” without a “hearing.” Plaintiff provides no legal authority for the relief he requests. Further, the collection of filing fees to institute a civil action in the district courts of the United States is mandated by statute. 28 U.S.C. § 1914. Plaintiff instituted the instant civil action in this Court and it was adjudicated by this Court. The filing fee for this civil action was properly assessed and neither the lack of a “hearing” nor the number of civil actions a plaintiff has unsuccessfully litigated has any effect the propriety of that assessment.

AND NOW, this 21st day of September, 2018, Plaintiff's motion seeking return of his filing fee, ECF No. 41, is DENIED.

BY THE COURT:

/s/ Maureen P. Kelly
MAUREEN P. KELLY
CHIEF UNITED STATES MAGISTRATE JUDGE